



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 10.3

March 2019

UNDERCOVER AND SURVEILLANCE OPERATIONS

PURPOSE

The purpose of this Directive is to provide operational planning guidelines when conducting undercover (UC) or surveillance operations, and clearly define the roles of assigned officers.

PROCEDURES

Undercover Operations

Supervisors shall be notified and oversee all UC operations. When overseeing a UC operation, supervisors shall ensure a written operation plan has been developed and communicated to all participants and support personnel, including members of the uniformed arrest or chase team (when applicable).

Notifications shall be made to Los Angeles Clearing House (LA CLEAR), unit officer-in-charge (OIC), Area watch commander (when applicable), watch commander of location of operation, Communications Division, and any involved outside agency.

Tactical Considerations

- Be aware of UC/surveillance roles and responsibilities
- Monitor Tac/base radio frequency
- Wear body armor
- Carry required safety equipment
- Utilize uniformed arrest teams
- Consider the perceptions of responding personnel
- Don raid jacket or tactical vest for ID when necessary

Surveillance Operations

There are two basic types of surveillance: mobile and static. The tactics and notifications may vary between the two. Supervisors shall be notified of, and oversee, all surveillance operations, both mobile and static. When overseeing a surveillance operation, supervisors **shall** ensure that a written operation plan has been developed and communicated to all participants and support personnel, including members of the uniformed arrest or chase team (when applicable).

Notifications shall be made to LA CLEAR regarding information known at the start of the operation (i.e., suspect, location, vehicle). If the operation is **static**, notification shall also be made to the Area watch commander (when applicable), watch commander of location

of operation, Communications Division, and any involved outside agency. When receiving notification of an operation, a watch commander shall document the notification in the Watch Commander's log. The supervisor in charge of the operation shall determine when a mobile surveillance has become static and initiate the appropriate notifications.

Notifications for both UC and surveillance operations shall specify who is conducting the operation, the nature of the operation's mission, length of the operation, resources (e.g., plain clothes with uniformed chase) and how to contact the officer in charge of the operation. The name and serial number of the person notified shall be documented on the written operation plan.

Note: On a case-by-case basis, the supervisor in charge may deviate from the notifications only when such notifications could compromise a confidential investigation. Commanding officer (C/O) approval is required and the approval shall be documented on the written operation plan.

Written Operation Plans

All UC and surveillance operations shall be documented on a written operation plan. The written operation plan must be approved by the C/O of the responsible Area/Division or their designee (a telephonic briefing and approval is acceptable when a physical review is not feasible), and such approval **shall** be documented in the plan.

Exception: In the case of critical, time-sensitive incidents or any crime needing immediate attention, a verbal operation plan may be communicated to all involved assets to expedite their response. However, a written operation plan shall be completed as soon as feasible after the scene is safe and after the conclusion of the incident.

Written operation plans **shall** include at minimum:

- Location of activity and type of crime;
- Radio frequency;
- Location information (security bars, dogs, children, or other officer safety issues);
- Suspect(s) information (i.e. criminal history, prior violent behavior, access to weapons, drug use, and picture if available);
- Personnel assigned to the operation (include their roles and duties - communications, less lethal, arrest team, etc.) In a mobile surveillance, it is understood that duties may rotate due to their position at the time;
- Required/exempted equipment for operation. If an exemption is granted for required equipment, the C/O or acting C/O who grants the exemption **shall** be documented in the written plan or, if the plan is verbal, noted on the supervisor's log; and,
- Brief summary, including a description of what information led to the operation.

Note: If an officer did not attend the briefing (e.g., was in court) and later joins the UC operation, the UC supervisor shall ensure that the officer is briefed on the plan and their assigned role prior to joining the operation.

Radio Communications

Radio communications are a critical part of officer safety and mission execution. Supervisors should ensure that one radio is kept on base frequency and one radio is on the designated tactical frequency for the operation.

Although UC operators are exempt from carrying a standard Department radio, close cover officers, UC support officers, and surveillance officers **shall** carry a Department radio or have one immediately available to them in the field when feasible to do so.

During operations where UC operators and close cover officers have no access to radio communications, assigned supervisors **shall** account for the safety of their personnel and ensure that support and assistance are available and requested when necessary.

Personnel Assigned to UC and Surveillance Operations

An undercover operation is made up of several roles:

- UC Supervisor
- UC Operator
- Close Cover
- UC Support
- Surveillance Personnel

The supervisor and officers should be trained and familiar with all the roles in a UC or surveillance operation, as these operations are dynamic and need to be flexible. Although an officer may initially be assigned to a specific role in the operation plan, the officer may be called upon to change roles during the operation to ensure officer safety or maintain the integrity of the investigation. While supervisors often delegate tasks or responsibilities, they are ultimately responsible for command and control of the operation regardless of roles.

Use of Uniformed Arrest Teams

When involved in any tactical operation where an arrest or multiple arrests are anticipated or likely, personnel assigned as UC operators, UC support and surveillance should avoid suspect contact and allow a uniformed arrest or chase team to pursue, contain, detain, and/or arrest the suspect when possible. In circumstances when a uniformed arrest or chase team is not available or practical, UC support or surveillance personnel may be used with the approval of the supervisor in charge of the operation.

If officers attempt to take a suspect into custody, absent exigent circumstances (immediate and life-threatening), they **shall** be:

- Identifiable as police officers; and,
- Wearing body armor.

Required Equipment

It is understood that there may be crossover from one role to another during an operation. When an officer's role changes during an operation the required equipment may also change. Undercover operators are exempt from carrying police safety equipment during undercover operations. It is otherwise expected that safety equipment and minimum equipment requirements be met.

Required Equipment				
Assignment	Body Armor	Raid Jacket/ Tac Vest	Radio	Minimum Equipment*
UC Operator	Not required	Not required	Not required	Not required
Close Cover	Required unless specifically exempt	Have available in the field	When Practicable	Required unless specifically exempt
UC Support	Required unless specifically exempt	Have available in the field	Required	Required
Surveillance Personnel	Required unless specifically exempt	Have available in the field	Required	Required

*Department approved firearm, minimum of one spare magazine, minimum of one pair of handcuffs with key

Body Armor

Personnel assigned to undercover or surveillance operations are required to wear Department-approved body armor unless wearing the body armor would directly compromise the covert nature of the operation. The written operation plan must set forth why wearing body armor would compromise the operation.

Reminder

Personnel that are assigned to a plainclothes detail (e.g. NED, Area detectives) who are conducting field enforcement or activity where they are likely to have contact with one or more suspects **shall** wear body armor or tactical vest with ballistic protection.

Note: Any exemption to the wearing of body armor shall be approved by a commanding officer and only on a case-by-case basis. Prior to granting approval for the exemption, the commanding officer shall review the plan and carefully balance the officer safety risks involved. Critical to this review is ensuring that UC Support and Surveillance Personnel have the necessary

safety equipment to fulfill their anticipated role in protecting the UC Operator during a deadly encounter.

Identifying Police Attire

A raid jacket or tactical vest with Department-required lettering and markings **shall** be donned when identification as a police officer is important to officer safety and when such use would not interfere with the effectiveness of the operation.

Although personnel assigned as UC operators are exempt from wearing and carrying Department-approved raid jackets or tactical vests while engaged in undercover operations, they **shall** have them available when feasible for post-operation tactical incidents, search warrants, etc. Undercover support and surveillance personnel **shall** have a raid jacket or tactical vest available to them in the field during all tactical operations.

When officers are unable to don a Department raid jacket or tactical vest because of an exigent circumstance, they **shall** attempt to display a Department badge or identification card in an area that is clearly visible.

Interactions between Uniformed and Non-Uniformed Officers

Personnel assigned to undercover and surveillance operations should consider and anticipate the perceptions of uniform and non-uniform personnel who may respond to the area when an incident occurs. The display of a Department badge or identification card may not provide sufficient identifiers to responding units; therefore, personnel assigned to undercover and surveillance operations should never assume that they will be recognized by law enforcement personnel responding to the scene. If detained, personnel assigned to UC or surveillance operations should immediately identify themselves and cooperate with any direction given by the uniformed officers and calmly explain the situation to the officers while continuing to **follow instructions and commands**. Most importantly, personnel assigned to UC or surveillance operations should avoid making any sudden movements, which includes reaching for police identification. Such movements could easily be mistaken for a threatening gesture. In the interest of safety, personnel assigned to UC or surveillance operations should make an effort to remain calm and cooperative in order to de-escalate a potentially volatile confrontation.

EXEMPTIONS

The Chief of Police may designate certain Department entities or personnel that may operate under guidelines that deviate from this Directive. The designation by the Chief of Police **shall** be documented in the plan or UC supervisor's daily log. The guidelines for Department entities so designated by the Chief of Police **shall** be maintained on file with Critical Incident Review Division.

Important Reminder

Deviations from these basic concepts sometimes occur due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to those which substantially deviate from Department tactical training. Any deviations are to be explained by the involved officer(s), and the justification for substantial deviations from Department tactical training shall be articulated.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 10.2, Undercover Operations, 2015.

A handwritten signature in blue ink, appearing to read 'MR MOORE', is positioned above the printed name.

MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"

Attachment: Definitions

Undercover and Surveillance Operations

Definitions

UC Operation: Use of non-uniform UC operators to proactively seek and establish a relationship or make contact with a subject or group to gather evidence or intelligence while concealing the operator's identity as a police officer to accomplish the mission.

UC Supervisor: A supervisor or officer in the field who is assigned to oversee the undercover operation with responsibility for safety and operational management of the incident. Unless exigent circumstances require an immediate response, the UC supervisor should not have any other role other than supervisory oversight.

UC Operator: An officer assigned to a non-uniform operation who proactively seeks to establish a relationship or make contact with a subject or group to gather evidence or intelligence while concealing the officer's identity as a police officer to accomplish the mission.

Close Cover Officer: Officers or supervisors whose primary purpose is the personal protection and safety of the UC operator. A close cover officer attempts to stay in close proximity to the UC operator to render immediate aid.

UC Support Officer: Officers or supervisors assigned to support the UC operators. These officers may participate in an arrest team, during which time their proper and immediate identification (raid jacket or tactical vest) as a police officer would be critical to officer safety.

Surveillance Officer: Officers or supervisors assigned to covertly monitor a suspect or a location to obtain intelligence or evidence of criminal activity.

Plainclothes: Non-uniform assignments where the role and identity as a sworn officer is not intended to be confidential or clandestine. For example: Area detectives, Mental Evaluation Unit personnel, training staff, etc.

Note: Plainclothes personnel **shall** wear body armor or a tactical vest with ballistic protection when they are involved in a tactical operation involving one or more suspects or when they are deployed in the field and subject to responding to radio calls, requests for assistance, or to effect arrests.

Observation Post: A fixed-post position (e.g., car, building, etc.) intended to be stationary for a period of time, wherein the officers gather intelligence or observe a suspect's actions and coordinate law enforcement actions.

Scouting: Conducting a limited duration assessment of a location and its surrounding areas to determine if additional law enforcement action is warranted.

Tactical Vest: A Department-approved ballistic vest for use during tactical operations that readily identifies the wearer as a police officer.

Operation Plan: A written or unwritten plan developed for a limited operational period for the execution of a specific tactical operation. Written operation plans shall incorporate the standard, current Department forms. Any additional written operation plans and surveillance forms shall be consistent with the requirements of the standard, current Department forms.

Surveillance (Static): The incident and UC operation is stationary and being observed from or at primarily the same location (i.e., an observation post).

Surveillance (Mobile): Generally moving with all surveillance officers rotating duties depending on their position in the mobile surveillance. A mobile surveillance can become temporarily static for short or long periods of time if the suspect stops. When the surveillance supervisor determines a mobile surveillance has become static, the supervisor should ensure the proper notifications are made.